THE VIRGINIA GAZETTE, & GENERAL ADVERTISER.

RICHMOND:—PRINTED (EVERY TUESDAY AND FRIDAY) BY AUGUSTINE DAVIS, AT FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.

NUMBER 969.] FRIDAY, JANUARY 29, 1802. [VOLUME XVI.

NOTICE.

I SHALL leave this place for a few weeks. My business will be attended to by Mr. JAMES THOMPSON, until I return.

Josiah Dickson.

Richmond, January 22d, 1802.

The SUBSCRIBER,

Begs leave to inform the public, and his friends, that he has taken

The TAVERN,

FORMERLY occupied by Col. Parke Goodall, in the City of Richmond; and he flatters himself from his knowledge of the business and his strict attention, to render general satisfaction. His house shall always be supplied with the best materials for that purpose, having a plenty of good servants, and an excellent hostler: his Stables will be supplied with plenty of Forage and Litter.

He wishes to take a few

BOARDERS,

at the customary price; and has also made preparations for the accommodation of

FIFTEEN or TWENTY

Members of the Assembly,

who shall be strictly attended to, by

Peter Wilkinson.

Richmond, Dec. 18, 1801.

FALL GOODS.

Samuel P. Braddick,

HAS Just Received by the Octavia, from London,

A LARGE AND HANDSOME

SUPPLY,

WHICH he will dispose of low, for Cash or Country Produce, or Acceptances in Town.

Optical Diagonal Machines with the Books of Prints; Pictures in Gilt Frames; Horseman's Pistols; Pocket Pistols with Spring Bayonets; Reive's Water Colors and Pencils; List Shoes and Boots with Soles; Patent Lambs wool Drawers; Shirts and Dressing Gowns; Gentlemens' travelling Caps; Hardham's No. 9, Snuff.

Richmond, October 2d, 1801. [amhs

FOR SALE,

THE ENGLISH HORSE,

HAMILTON,

-[Late the Bay Colt.]

EIGHT years old last May. He is in good order, and may be seen at my Stable, at Mont Comfort, one mile from the Capitol. For terms apply at my Office, in this city.

Thomas Wilson.

Richmond, Dec. 8, 1801.

PEDIGREE.

January 31st, 1797.

"THIS IS TO CERTIFY that THE "BAY COLT was got by High Flyer, "dam by Eclipse, from Young Cade, "which was the dam of Vauxhall."

(Signed) "GROSVENOR."

"N. B. The Cade mare, the dam of "Vauxhall, was also the dam of Dulci-"nea, Mambrino, and Sancho, all first "runners."

BY virtue of a Mortgage from *Deuneuf Germain*, dec. to me, will be sold, at public auction, for ready money, on Tuesday the second day of February, upon the premises, a TRACT OF LAND, containing three hundred and thirty-three acres, more or less, lying upon Pamunkey river, in New-Kent county, whereon Mr. P. Pearnet now lives. For me to give a description of the place, is considered useless, as I suppose whoever means to purchase, will view the land before the day of sale: I shall only say it is a handsome seat, and very convenient to trade, with tolerable good houses upon it, and is considered as good a stand for a merchant as any country seat in the lower parts of this state. Should the day appointed for the sale above, prove a very bad one, it will be sold the next day, or the very first tolerable good one that happens after.

H. GATEWOOD.

January 17, 1802. 3w.

SENATE OF THE *UNITED STATES.*

Friday, January 8.

DEBATE

On Mr. Brackenridge's motion to repeal the act passed last session for a new organization of the JUDICIARY SYSTEM.

(Mr. Mason's speech concluded from our last.)

I fear that if you take away from these judges, that which they ought officially to do, they will be induced from the want of employment, to do that which they ought not to do; and if they have no good to do, they may do harm. They may be induced, perhaps to set about that work gentlemen seem so fond of. They may as gentlemen have told us, hold the constitution in one hand, and the law in the other, and say to the departments of the government; so far shall you go and no farther. This independent of the judiciary, so much desired, will I fear, Sir, if encouraged or tolerated, soon become something like supremacy. They will, indeed, form the main pillar of this goodly fabric; they will soon become the only remaining pillar, and they will presently become so strong, as to crush and absorb all the others into their solid mass.

We have been told, that no State in the union has presumed to touch the judiciary establishment, excepting the State of Maryland. I will not answer for others; but with respect to Virginia, I will answer that she has touched it. Her constitutional provision for the independence of the judges is nearly similar to that of the United States, and yet she has established, modified, and entirely put down particular departments of her system.

[Here general Mason went into a particularisation of the different changes the judiciary system of Virginia had undergone.]

After the particularisation, general Mason proceeded:—

And yet our judges who are extremely tenacious of their rights, did not complain. They thought, as I think, that they should not be removed from their offices that others might be placed in them, and that while they did continue in office, their salaries should be preserved to them. And I believe the whole of our constitutional provision amounts to this; that unlike other officers appointed by the President, they shall not be removed by him; that their salaries shall not be diminished by the legislature; and that while the legislature may continue, any particular judicial establishment under which a judge is appointed, he shall hold that appointment in defiance of both the other departments of government. A judge may say, I am not to be turned out of office by the president on the one hand, or starved by the legislature on the other. He may say to the legislature or the president, and to both of them combined; you shall not turn me out of this office as long as it exists, to gratify your enmity to me or your favoritism to another person; so long as the interest and convenience of the people require this institution, they are entitled to my services, they shall have them, and I will be paid for them to the utmost farthing in spite of your displeasure or caprice.

Notwithstanding the remarks of gentlemen, I am inclined to think these ideas of the extreme independence of the judges, and the limited powers of the legislature, are not very old, but that they are of modern origin, and have grown up since the last session of Congress. For in the law passed last session, that very law which it is now proposed to repeal, is to be found a practical exposition in direct hostility with the principle now contended for, which does not betray that sacred regard for the office of a judge, that is on this occasion professed: in that very law will be found a clause, which abolishes two district courts. The 24th section says expressly, "the district courts of Kentucky and Tennessee shall be and hereby are abolished." Will gentlemen tell this house how this express provision came into the act of the last session; and will they say that though they voted for this law, yet no power exists in the legislature to abolish a court. It is true, that it has been said, that though you put down two district courts, you promoted the officers by increasing their salaries and making them judges of the circuit courts, but the fact is, you have abolished their offices; they are judges no longer of the districts of Kentucky and Tennessee; and they are to every purpose, whatever may be their name, in reality circuit judges. Though you have not lessened their salaries, you have deprived them of their offices. However, therefore, gentlemen may calculate as to the benefit or injury done these two judges, the principle is not affected by any result—their offices are gone.

It is not enough to say, that tho' you destroyed their offices you offered them others with higher salaries. You took away from them in express terms, their offices by abolishing the offices. You had stripped them of their offices, you had robbed them of their *vested right*, and then to make friends, offered them a compensation; but whether the compensation thus offered for the deprivation they had suffered, was really equivalent to their loss, is a mere matter of calculation, and does not affect the constitutional principle. It is proper, however to observe, that they were no parties to the proposed compromise, and that indeed they had no choice left them. They were obliged to accept of what you offered them or have nothing. If they did not agree to become judges of the newly organized circuit courts, they could not remain judges of the district courts, for these courts were absolutely and completely abolished.

Were I, Mr. President, to make a calculation on the comparative increase of duties and additional salary, in the case of one of those gentlemen (Judge Innes, of Kentucky) I should have no hesitation to say, that the bargain which has been made without his consent, and without his being a party to it, is a very bad one for him. Knowing too his particular situation, I am persuaded that if the law had left him any election between his former and present situation, he would have preferred remaining where he was, and without a moment's hesitation, he would have rejected your profered promotion, as it is called.—This gentleman resides within a few miles of Frankford, where as district judge of Kentucky he held his court. Attached to domestic life, and enjoying all its felicities, engaged in and pleased with agricultural pursuits, he was never under the necessity, even during the sessions of the courts, to sleep out of his own bed one night, or to be separated a single day from his family. He could every morning give direction for the management of his farm, and return early enough in the evening to see whether his orders were executed.

How is he situated under the change which has been forced upon him? Instead of attending one court, almost at his door, your late law requires him to attend four. The nearest at Baird's Town fifty or sixty miles from home. You oblige him to travel through dreary and inhospitable regions to the North-Western Territory, something short of an hundred miles; and much greater distances to, and through still worse countries, Knoxville, and Nashville, in Tennessee. In going from one to the other of these last mentioned places, he will have to pass through the country of the Cherokee Indians, nearly one hundred miles over the Cumberland mountains, where he will be exposed to every inclemency of weather, without a shelter, to retire to, for there is not a house or a hut in the whole journey; a journey in which all travellers are obliged at all times, and of unavoidable necessity, to sleep *one* night at least, and from the fall of rains, and rise of water courses, often many nights without a roof to cover them from the beating of the storm; and moreover where they are liable at every step to be robbed by the Indians, as I myself experienced passing through that wilderness. Can it be supposed, that the five hundred dollars added to the salary of judge Innes, should, by a person situated as he was, be deemed a sufficient compensation for the additional duties, the toils, the dangers, and the deprivations, to which that law subjected him? In continuing to serve his country, I am sure he must have been influenced more by a sense of duty, than a regard to private interest; or, a belief, that the change was in any respect advantageous to him.

By the 7th Section of the law of the last session, which transforms the district into circuit courts, which melts down the judges, and recoins them, it is enacted, That there shall be a circuit court composed of one new circuit judge and two old district judges, to be called the 6th circuit. Have you not then established a new office by the destruction of the old one? Have you not done more? Have you not violated the Constitution by declaring *by law*, who shall fill this new office; though the constitution declares, Art. 2d Sect. 2d, That the President shall nominate, and by and with the advice and consent of the Senate shall appoint all officers which shall be established by *law*.

Where were these guardians of the Constitution—these vigilant sentinels of our rights and liberties, when this law passed? Were they asleep upon their post? Where was the gentleman from New-York, who had on this debate made such a noble stand in favor of a violated constitution? Where was the *Ajax Telemon* of his party, or to use his own more correct expression, the *faction* to which he belonged? Where was the hero with his seven fold shield? not of bull's hide, but of brass—prepared to prevent or to punish this Trojan rape which he now sees meditated upon the constitution of his country by a wicked *faction*?—Where was Hercules, that he did not crush this den of robbers that broke into the sanctuary of the constitution? Was he forgetful of his duty? Were his nerves unstrung? Or was he the very leader of the band that broke down these constitutional ramparts?

I shall now, Sir, trouble you with a few remarks on the expediency of repealing this law. It has been said, that there is nothing peculiarly disgustful in this law; that there has been no public clamour excited against it; that it was enacted with solemnity on calm and deliberate reflection; and that time has not yet been given to test it by experience.

As no member, who has taken part in debate, was a member of this body when the law passed, I will say something of its history. I am not disposed to excite the sensibility of gentlemen by any remarks which I shall make, or to call up unpleasant recollections of past scenes. But when I hear it said that this law was passed with calmness after mature reflection, and that we are now in a fit of passion going to undo what was thus wisely done, I think it necessary that the public should have a correct statement.

It is true that under the last administration, when there existed (what I trust will never in an equal degree exist again) an immoderate thirst for executive patronage, a proposition was made to establish a new judiciary system; a system worse than the present; as it proposed, according to my recollection, 38 judges instead of 16. This law was very near passing. It was however rejected in the house of representatives by a very small majority. But it was circulated as a project of a law among the people. It was ilty received. It was thought *too rank a thing*, and met with general disapprobation throughout the United States, as far I have been able to learn. After this reception it was softened down to the plan introduced at the last session. What temper accompanied the progress of the bill in the other house I know not, or if I did know, would it be proper for me here to say? But with respect to the acts of this body, I am not of opinion that they added any dignity to our common course of procedure. The bill was referred to a committee, who, though it was very long, reported it without any amendment. Various amendments were offered, some of which were admitted to be proper. But they were not received. One indeed proposed by a member from Connecticut, who was chairman of the committee, and was then hostile to the plan, did pass in the early stages of the bill; but on the third reading it was expunged.—All amendments proposed by the minority were uniformly rejected, by a steady, inflexible and undeviating majority. I confess that I saw no passion, but I certainly did see great pertinacity; something like what the gentleman from Connecticut had termed *a holding fast*. No amendments were admitted—when offered, we were told no; you may get them introduced by a rider or supplementary bill, or in any other way you please; but down this bill must go—it must be crammed down your throats; this was not the precise phrase, but such was the amount of what was said.

I will say that not an argument was urged in favour of the bill; not a word to shew the necessity or propriety of the change—Yet we are told that there was great dignity, great solemnity in its progress and passage!

But there is something undignified in thus hastily repealing this law! in thus yielding ourselves to the fluctuations of public opinion! so we are told! But if there be blame, on whom does it fall? Not on us, who respected the public opinion when this law was passed, and who still respect it; but on those who, in defiance of public opinion, passed this law, after that public opinion had been decisively expressed. The revolution in public opinion had taken place before the introduction of this project; the people of the United States had determined to commit their affairs to new agents; already had the confidence of the people been transferred from their then rulers into our hands. After this expolion of the national will, and this new deposit of the national confidence, the gentlemen should have left untouched this important and delicate subject; a subject on which the people could not be reconciled to their views even in the flood tide of their power and influence: they should have forborne, till agents better acquainted with the national will, because more recently constituted its organs, had come into the government. This would have been more dignified than to seize the critical moment when power was passing from them, to pass such a law as this. If there is error in it, our duty to correct it; and the truth was, no law was ever more execrated by the public.

Let it not be said postpone the repeal till the next session. No. Let us restore those gentlemen to private life, who have accepted appointments under this law. This will be doing them greater justice, than by keeping them in office another year, till the professional business, which once attached to them, is gone into other channels.

[Mr. Mason went into an examination of the number of suits depending at the time the law was passed, and particularly the number brought within the twelve months preceding its passage, from the fewness of which and their being in a state of diminution rather than increase, he inferred the inutility of the additional judges.]

He continued: If on this review, we find the number of ſuits decreaſing inſtead of increaſing; if the courts then eſtabliſhed were found competent to the prompt and faithful diſcharge of all the duties devolved upon them, the law was unneceſſary; and if unneceſſary, the additional expence incurred by it was unneceſſary; and all unneceſſary expence ſhould be ſaved. It is true that 50,000 dollars divided among the people of the United States, amounted to but one cent a man; but the principle was ſtill the ſame. It has been very faſhionable of late to juſtify every unneceſſary expence by ſtating each item by itſelf and dividing it among the whole people.—In this way every expence is held forth as of little conſequence. Gentlemen ſay in this caſe it is only one cent a man. In the caſe of the Mauſoleum, 200,000 dollars came to only 4 cents a man! In the direct tax it is only 40 cents! They talk of our army, it only comes to a few cents for each perſon, who may ſell as many cabbages to the ſoldiers themſelves as to pay it! So in a navy. In this way are the moſt extravagant expences wiſhed down to a mere fraction. But this kind of federal arithmetic I can never accede to. It may ſuit an expenſive government; but it is an impoſition on the people.

It has been urged with ſome force by the gentlemen from New-York and Connecticut, that the ſmall number of ſuits is an evidence of the efficacy and ability of our courts of juſtice. I am willing to admit the force of this remark; but I muſt apply it very differently from thoſe gentlemen. I muſt apply it to the ſtate of the dockets when this law paſſed; and from that being very few at the time, I muſt infer that the ſyſtem exiſting then was an excellent one, as it wielded the power of the laws ſo effectually, that there was but little neceſſity for enforcing the law againſt delinquents.

From the remarks made by the gentleman from Connecticut it might be inferred that we were about to deſtroy all our courts, and that we were in future to have no courts. Is this the caſe? Are we contending for breaking down the whole judiciary eſtabliſhment? On the contrary, we barely ſay the courts you had before the paſſage of this law, were ſufficient; return therefore, to them. This law which we wiſhed repealed, imparts no new authorities to your Judges; it clothes them with no additional terrors; it adds not to their taxes, or increaſes not the number of their rods. It only enlarges their number, which was before large enough.

The gentleman from New-York has amuſed himſelf with a great deal of handſome rhetoric. But I apprehend without bearing much upon the queſtion. There is one idea, however, which he has ſeized with extacy, the idea of a great ſtate kneeling at the altar of federal power; and he deplores that this ſpectacle, the moſt ſublime that his imagination can conceive, is vaniſhed forever. But if he will conſult thoſe ſtores of hiſtory with which he ſo often amuſes and inſtructs his audience, he will find ſtill more ſplendid humiliations. He will find the proud monarchs of the eaſt, ſurrounded with all the decorations of royalty, dragged at the chariot wheel of the conqueror. In more modern times he will behold a king of England and of France, one holding the ſtirrup and the other the bridle, while the Pope mounted his horſe. If not contented with the contemplation of theſe illuſtrious degradations, he may reſort to ſacred writ, to which he ſo often appeals; and in the very book of Judges, he will behold a famous king of Jeruſalem, ſurrounded by three ſcore and ten dependent kings, picking up the crumbs from under his table, and what made the humiliation more charming, all theſe kings had their thumbs and great toes cut off.

But if the gentleman from New-York wiſhes to be gratified with a more modern idea of ſovereign degradation, I would refer him to the memorable threat of an individual, *a ſervant of the people*, to humble a whole ſtate, a great ſtate too, *in duſt and aſhes*. A ſtate upon her knees before ſix venerable judges, decorated in party-coloured robes, as ours formerly were, or arrayed in more ſolemn black, ſuch as that they have lately aſſumed, hoping, tho' a ſtate, that it might have ſome chance for juſtice, exhibits a ſpectacle of humble and degraded ſovereignty far ſhort of the dreadful denunciation to which I allude! If the gentlemen feels, as I know many do, rapture at the idea of a ſtate being humiliated and tumbled into the duſt, I envy him not his feelings. At ſuch a thought I acknowledge I feel humbled. If the degradation were confined to kings and tyrants, to uſurpers who had deſtroyed the liberties of nations, I ſhould not feel much commiſeration; but when applied to governments, inſtituted by the people for the protection of their liberties, and adminiſtered only to promote their happineſs, feel indignant at the idea of degraded ſovereignty, I ſhould feel the ſame intereſt for any ſtate, large or ſmall, whether it were the little ſtate of Delaware herſelf, or the ſtill more inſignificant republic of St. Marino.

After a few additional remarks, and aſking the indulgence of the houſe for the want of method impoſed upon him from the neceſſity of replying to the arguments of gentlemen as they had ſtated them, General Maſon ſat down.

Mr. Stone, of North-Carolina. The importance of the preſent queſtion might I preſume juſtify any member in delivering his ſentiments without apology. But from the able manner in which the ſubject has already been diſcuſſed., I ſhould have been induced to adhere to my uſual courſe ſince I have been a member of this body, and leaving its elucidation to others of greater experience and more talents, have been contented with a ſilent vote. As however, the ſtate whoſe ſervant I am, and whoſe faithful ſervant I wiſh at all times to be found, has inſtructed her members on this ſubject, I will endeavor in the plain way of which alone I am capable to aſſign the reaſons for my vote. And indoing this, I rather wiſh than hope that I may ſtate any thing worthy the conſideration of this enlightened aſſembly.

The argument upon this queſtion has naturally divided into two parts, the one of expediency—the other of conſtitutionality. If the repeal of this law ſhall be deemed expedient; the Senate will doubtleſs conſider it their duty to repeal it if no conſtitutional objection oppoſes it; but if it ſhall be deemed unconſtitutional to repeal it, then no conſiderations of expediency can ſtand in the way of that ſolemn inſtrument, we are all ſworn to ſupport.

Before entering into an examination of the expediency of the repeal, it may be proper to remark that gentlemen who have ſpoken againſt the repeal, whoſe talents and eloquence I highly admire, have not correctly ſtated the queſtion. The true queſtion is, not whether we ſhall deprive the people of the United States of all their courts of juſtice; but whether we ſhall reſtore to them their former courts. Shall we, or ſhall we not, continue an experiment made, or attempted to be made, I will not ſay improperly, becauſe my reſpect for this body and for my country, forbid the imputation; but I will ſay that the length of time we remained without this ſyſtem, and the repeated ineffectual attempts made to eſtabliſh it, preſent ſtrong reaſons for inferring that there are not thoſe great apparent reaſons in favor of it that have been ſtated. A ſyſtem, ſomewhat ſimilar to the preſent, had been rejected by the legiſlature becauſe they preferred the former ſyſtem. Another evidence to the ſame purport is, that during the laſt ſeſſion when the ſubject was again revived, and the preſent plan adopted, an amendment was offered, to amend by extending and enlarging the former eſtabliſhment.

[Here Mr. Stone read the amendment propoſed, which augmented the number of judges of the Supreme Court, and aſſigned their circuits.]

This amendment was rejected, and from the vote entered on this journal of that day, it appears that the difference of votes againſt the amendment was formed of thoſe gentlemen, who were nominated to appointments made vacant by the promotions under the new law. I do not ſtate this circumſtance as an evidence that theſe gentlemen were influenced by improper motives; but to ſhew that the manner in which the new ſyſtem was formed was not calculated to eſtabliſh in the public mind a decided preference of it over the old ſyſtem.

Having made theſe remarks on the great deliberation ſaid to have been manifeſted in the adoption of this plan, I hope I may be permitted to expreſs my perfect coincidence with the gentleman from Connecticut, that courts are neceſſary for the adminiſtration of juſtice, and that without them our laws would be a dead letter.

But it appears to me eſſential to the due adminiſtration of juſtice, that thoſe who preſide in our courts ſhould be well acquainted with the laws which are to guide their deciſions, And I apprehend that no way is ſo much calculated to impart this knowledge as a practical acquaintance with them, by attending courts in the ſeveral ſtates, and hearing gentlemen, who are particularly acquainted with them, explain and diſcuſs them. It is, therefore, abſolutely neceſſary in my mind, that the judges of the Supreme Court, whoſe power controls all the other tribunals, and on whoſe deciſions reſt the property, the reputation, the liberty, and the lives of our citizens, ſhould, by riding the circuits, render themſelves practically acquainted with their duties. It is well known that the knowledge of the laws of a ſtate is not to be ſuddenly acquired, and it is reaſonable to conclude that that knowledge is moſt correctly poſſeſſed by men, whoſe whole life has been devoted to the acquiſition. It is alſo perfectly well known that the knowledge of the modes and principles of practice in the different ſtates, or of any ſtate, is moſt effectually to be acquired in courts, where gentlemen of ſkill and experience apply thoſe principles to uſe upon exiſting points.

The defect then, of the preſent plan is in my opinion, ſo radical, that of itſelf it would decide with me the queſtion of expediency.

With regard to the expence of this new ſyſtem, I will ſay that it weighs as much as it is worth. The ſingle conſideration of an expenditure of 20,000 dollars may not be deemed of much importance, when weighed with the benefits derived from an adminiſtration of juſtice over this extenſive country. If this great object can be better effected with the additional expence, then it is proper to conſider whether the amelioration is worth the price; but if it is not better effected, it ſurely cannot be the wiſh of any gentleman to incur a uſeleſs expence. If, when this law paſſed, the buſineſs, to the tranſaction of which the old courts were fully competent, was leſſening, then ſurely there was no occaſion for additional tribunals.

The more important conſideration involves the conſtitutional queſtion: Can we, according to that ſacred inſtrument, repeal this law, and deſtroy the offices created by it? If we cannot, I hope the Senate will reject the propoſition on your table.—But if we can, as on examination I think we may, I truſt the reſolution will be adopted.

The gentleman from Kentucky, who introduced this ſubject, has ſo fully and forcibly ſtated that part of the argument which eſtabliſhes, that the office of judge being declared by the conſtitution to be during good behaviour, muſt evidently apply to exiſting offices, and not to conteſt the power of the legiſlature in doing away offices, that I ſhall not touch it.

I have taken a view of the conſtitution, which though new is this argument, appears to me to be correct and concluſive. The 4th ſection of the 2nd article of the conſtitution declares that "the Preſident, the Vice-Preſident and all civil officers of the United States, ſhall be removed from office on impeachment for, and conviction of, treaſon, bribery or other high crimes and miſdemeanors."

This ſection being added to the article eſtabliſhing the executive power, evidently operate as a reſtriction and curb to that power—to prevent the Preſident, Vice-Preſident or any officer in the appointment of the Preſident from remaining in office, when, in the opinion of the legiſlature, the public good requires them to be diſplaced. The practical conſtruction put upon this article in connection with other parts of the conſtitution, is that all officers in the appointment of the Preſident *may* be removed at his will; but that thoſe officers, together with himſelf and Vice-preſident, *ſhall* be removed upon impeachment and conviction by the legiſlature. No part of the conſtitution expreſsly gives the power of removal to the Preſident; but a conſtruction has been adopted and practiſed upon from neceſſity, giving him that power in all caſes in which he is not expreſsly reſtrained from the exerciſe of it. The judges afford an inſtance in which he is expreſsly reſtrained from removal. It being declared by the 1ſt ſection of the 3d article of the conſtitution, that the judges both of the ſupreme and inferior courts ſhall hold their offices during good behaviour.—They doubtleſs ſhall (as againſt the Preſident's power to retain them in office) in common with other officers of his appointment, be removed from office by impeachment and conviction; but it does not follow that they may not be removed by other means. They ſhall hold their offices during goood behaviour, and they ſhall be removed from office upon impeachment and conviction of treaſon, bribery and other high crimes and miſdemeanors. If the word *impeachment of high crimes and miſdemeanors*, be underſtood according to any conſtruction of them hitherto received and eſtabliſhed, it will be found that although a judge, guilty of high crimes and miſdemeanors, is always guilty of miſbehaviour in office, yet that of the various ſpecies of miſbehaviour in office, which may render it exceedingly improper that a judge ſhould continue in office, many of them are neither treaſon, nor bribery, nor can they properly be dignified by the appellation of high crimes, and miſdemeanors. And for the impeachment of which no precedent can be found, nor would the words of the conſtitution juſtify ſuch impeachment. To what ſource then ſhall we reſort for a knowledge of what conſtitutes this thing called miſbehavior in office? The conſtitution ſurely did not intend that a circumſtance ſo important as the tenure by which the judges hold their offices, ſhould be incapable of being aſcertained. *Their miſbehaviour* certainly is not an impeachable offence; ſtill it is the ground upon which the judges are to be removed from office. The proceſs of impeachment, therefore, cannot be the only one by which the judges may be removed from office, under and according to the conſtitution. I take it therefore, to be a thing undeniable, that that there reſides ſomewhere in the government a power to declare what ſhall amount to miſbehaviour in office by the judges, and to remove them from office for the ſame without impeachment. The conſtitution does not prohibit their removal by the legiſlature, who have the power to make all laws neceſſary & proper for carrying into execution the powers veſted by the conſtitution in the government of the United States. But, ſays the gentleman from New-York, the judges are officers inſtituted by the conſtitution to ſave the people from their greateſt enemies, themſelves—and therefore they ſhould be entirely independent of, & beyond the control of the legiſlature.—If ſuch was the deſign of thoſe wiſe men who framed and adopted the conſtitution, can it be preſumed they would have provided ſo ineffectual a barrier as theſe judges can readily be ſhown to be? It is allowed on all hands, the legiſlature may modify the courts—they may add judges, they may fix the times at which the courts ſhall ſit, &c. Suppoſe the legiſlature to have intereſts diſtinct from the people—and the judges to ſtand in the way of executing any favorite meaſure. Can any thing be more eaſy than for the legiſlature to declare that the courts inſtead of being held ſemi-annually, or oftener, ſhall be held only once in ſix, eight, ten, or twenty years; or in order to free themſelves from the oppoſition of the preſent Supreme Court to declare, that court ſhall hereafter be held by thirteen judges. An underſtanding between the Preſident and the Senate would make it practicable to fill the new offices with men of different views and opinions from thoſe now in office—And what, in either caſe, would become of this boaſted protection of the people againſt themſelves. I cannot conceive the conſtitution intended ſo feeble a barrier—a barrier ſo eaſily evaded.

What danger is there to the people from the legiſlature which the courts can control? The means of oppreſſion neareſt at hand to the legiſlature, and which afford the ſtrongeſt temptation to their uſe, are, the raiſing extravagant and unneceſſary ſums of money, and the embodying large and uſeleſs armies.—Can the courts oppoſe effectual checks to theſe powers? I preſume not. The conſtitution permits their exerciſe to any extent within the diſcretion of the legiſlature.

The objects of courts of law, as I underſtand them, are, to ſettle queſtions of right between ſuitors—to enforce obedience to the laws—and to protect the citizens againſt the oppreſſive uſe of power in the executive officers.—Not to protect them againſt the legiſlature; for that I think I have ſhewn to be impoſſible with the powers which the legiſlature may ſafely uſe and exerciſe; and becauſe the people have retained in their own hands the power of controlling and directing the legiſlature, by their immediate and mediate elections of Preſident, Senate and Houſe of Repreſentatives.

It is not alone the ſixteen rank and file, which the gentleman from New-York has ſo ludicrouſly depicted, that I apprehend immediate danger from, but it is the principle which converts the office of judge into an hoſpital of incurables, and declares that expiring faction, after having loſt the public confidence, may add to thoſe ſixteen until they become 1600, or 16,000; and that the reſtored good ſenſe of the legiſlature, the whole government and conſtitution retains no means of caſting them off, but by deſtroying itſelf and reſorting to revolutionary principles. The legiſlature may repeal unneceſſary taxes, may diſband uſeleſs and expenſive armies, may declare they will be no longer bound by the ſtipulations of an oppreſſive treaty; and if war ſhould follow, the conſtitution is ſtill ſafe. But if the conſtitution which gentlemen contend for be correct, a band of drones to any amount in number under the denomination of judges, may prey upon the ſubſtance of the people, and the government retains not the power to remove them but by deſtroying the conſtitution itſelf.

I beſeech this enlighted aſſembly to pauſe before they adopt a conſtruction capable of producing ſo great miſchief, and ſo ineffectual to the ends propoſed.

The queſtion is not now, as it would ſeem from the arguments of gentlemen, they underſtand it to be; whether we ſhall aboliſh offices without compenſating the officers for the ſacrifices they may have made. If a propoſal to compenſate them ſhall be brought forward, the legiſlature will ſurely do what honor and juſtice ſhall require.

If I poſſeſſed equal powers of ſpeech with the gentleman from Connecticut, I might be tempted to make as impreſſive an addreſs to the feelings of the Senate. Sure I am, I feel as deep an intereſt in, and ſolicitude for, the conſtitution, as that gentleman. I view it with him as the bond of our union and the foundation of our ſafety. But it muſt be ſupported on reaſonable and practical grounds. My underſtanding is incapable of ſeeing how the abſurdities and evils of the conſtruction contended for, can be avoided. I hope therefore that the power of the legiſlature to put down as well as to build up, courts of juſtice, as the public good may require, will be eſtabliſhed.

Not having accuſtomed myſelf to deliver my ſentiments in this or the other branch of the legiſlature, I may not have compriſed them in ſo ſhort a compaſs, nor in ſuch orderly ſhape, as would be proper in ſubmitting them to this enlightened aſſembly. If, however, I have ſucceeded in ſtating intelligibly the grounds of my conviction, I am ſatisfied. If my remarks have contributed to elucidate the ſubject to others, I ſhall rejoice; but if failing in this, they alſo are mixed with error, I truſt gentlemen will ſet them right.

Thurſday, January 14.

Mr. Olcott, of New-Hampſhire, ſaid this ſubject was of the moſt important kind, and though many able arguments had been already offered,

he could not pass it over with a negative vote.

It has been suggested that the act, now proposed to be repealed, came in on the influx of passion, and that the influx of reason should sweep it away. He did know that this was the case. Some gentlemen contend that it was adopted with great deliberation.

He thought the reasons for a repeal of this law insufficient. It is not said, that if the constitution vests a right to office in the judges, that we can affect them. He thought the constitution did vest the right, and he held it to be sacred.

The provisions of the constitution appeared to him so plain, that they scarcely admitted of illustration. He who undertakes to explain the text must find more explicit terms than those contained in it. He could not find any.

After dwelling upon the different provisions of the constitution, Mr. Olcott went upon the question of expediency at some length, and concluded that a repeal was as inexpedient as unconstitutional.

Mr. Cocke, of Tennessee, followed Mr. Olcott. He said he was sorry gentlemen attempted to make quack doctors of them, by saying we may give a wound, but cannot heal it. He wished the senate to enquire whether the law now proposed to be repealed was constitutional or not.—If it was not, we should act like honest men, acknowledge that we have violated the constitution, and restore it to its purity by repealing the law. Let us recur to the journals of 1799, and see what was the understanding of those champions of our liberties, and whether they have not since changed. The journals would prove that the judges were to mix with the legislature, were to be locked up in a closet, and to declare who was to be our executive magistrate.

[Mr. Cocke went into an examination of the arguments on the constitutional point.]

We have been told that the nation is to look up to these immaculate judges to protect their liberties—to protect the people against themselves. This was novel, and what result did it lead to? He shuddered to think of it. Were there none of these judges ready to plunge their swords in the American heart? He did not think it proper to be alarmed by the terrors held out. He wished to know no man; to take things as they are. If gentlemen will attack, they must expect a reply.

Mr. Cocke then dilated upon the several points of the discussion, and concluded with the expression of the hope that the legislature would not give way to the ideas of gentlemen that the government was made for a chosen few—for the judges—to whom we are to look up for every thing.

(Debate to be continued.)

HOUSE of REPRESENTATIVES. OF THE UNITED STATES.

January 18.

A petition was present from J. C. Symmes, praying congress to accept his release and relinquishment to the United States, of all his claim to a quantity of land N. W. of the Ohio, on certain proposed terms.

Referred to a select committee.

The speaker laid before the house a report from the secretary of the treasury, with a statement of the value of the exports of the United States, to the ports of Italy, Gibraltar, and the Barbary powers for five years preceding the 30th Sept. 1801.

The house resumed the consideration of the amendments made in committee of the whole to the bill respecting fugitives from justice, and persons escaping from the service of their masters, which were agreed to.

The question was then put on engrossing the bill for a third reading, and lost—Ayes 43—Noes 46.

The house went into a committee of the whole on the bill for fixing the military peace establishment, who made some progress therein, and obtained leave to sit again.

TUESDAY, January 19, 1802.

A memorial from Fulwar Skipwith, consul-general of the United States at Paris, praying the liquidation of a claim, for official services rendered, and advances of money made for the United States.

Referred to the Secretary of State.

A memorial of sundry distillers in Boston and elsewhere, in Massachusetts, was presented, praying the repeal of the law imposing a duty on distilled spirits and stills.

Referred to committee of Ways and Means.

A petition of sundry inhabitants of the City of Washington, was presented, praying the aid and patronage of Congress, in connecting the waters of the Potomac, and the Eastern Branch, by opening and completing a canal along the Tiber creek, through the low grounds at the foot of Capitol Hill.

Referred to committee on the territory of Columba.

Mr. Tallmage reported, from the committee appointed, on the resolution of the Senate respecting lieut. Sterrett, that it would be expedient to disagree to said resolutions, and to adopt others in their room. The first resolution proposes that Congress express the high sense they entertain of the gallant conduct of lieut. Sterrett, and the other officers, and crew of the Enterprise—The second requests the President to present Lt. Sterrett with a sword commemorative of the heroic action; and recommends the allowing one month's pay to the other officers and crew.

The House resolved itself into a committee of the whole on the bill fixing the military peace establishment, Mr. Davis in the chair.

After considering the same, the committee rose, and reported sundry amendments, which were ordered to lie on the table.

WEDNESDAY, Jan. 20, 1802.

The House took up the amendments of the Committee of the whole to the bill for fixing the military peace establishment.

Mr. BAYARD moved so to amend the bill, as to strike out that part of it which establishes the appointment of a brigadier general.

For this motion Mr. Bayard assigned his reasons at some length, thinking the office entirely useless, and desiring to avoid every unnecessary expence, he thought it would be proper to vacate it.

Mr. S. SMITH made a statement of the successive measures of the legislature, which all retained as necessary a brigadier general; and he particularly alluded to the retention of that officer under the peace establishment of 1796, and 1797, when the army was reduced to 3,000, the same number now proposed.

Messrs. T. MORRIS and SHEPARD spoke in favour of the motion, and Mr. SMILIE against it.

Mr. NICHOLSON, believing it important that more information should be had, moved the commitment of the bill to a select committee. On this motion Messrs. Nicholson, Bacon, Dana, and Mitchell, spoke in favour of it, and Messrs. Bayard, Rutledge, Tallamage, S. Smith, and Varnum, against it.

Mr. GILES delivered his sentiments, and moved for a recommitment of the bill to a committee of the whole House.

This motion superseded that for a reference to a select committee. Messrs. Bayard, Elmer, Eustis, spoke against, and Messrs Dana, and Goddard, in favor of this motion.

The question was then taken on the recommitment of the bill to a committee of the whole, and lost. Yeas 37—Nays 46.

The question was then taken by yeas and nays on the motion of Mr. Bayard to strike out "one brigadier, and one aid-de-campt," and lost. Yeas 36—Nays—54.

Dr. Mitchell moved an amendment, the effect of which was, instead of allowing three months pay to the officers deranged, to discriminate the compensation according to the length of time each soldier and officer had been in the army.

Mr. Rutledge moved a reference to the committee of the whole of the section on the above point, in order to be amended.

Lost without a division.

Mr. Griswould called for the yeas and nays on Dr. Mitchell's motion which were taken, and were yeas 26—nays—56.

Mr. Bayard moved to strike out "three months," in order to leave a blank that might be filled up with a longer period.

Lost—ayes 26—noes 44.

Ordered to be engrossed for a third reading to morrow.

At a Court Martial held at Mr. Charles Cox's, on Thursday the 14th January, 1802, by order of Brigadier General THOMAS WHITE, *Commandant of the 2d Brigade of Militia, for the trials of Captain* SAMUEL M'CRAW, *and Lieutenant* WRAY THOMAS, *of the 19th Regiment.*

PRESENT:

Major William Price, President.

Captains—Holloway, Joseph A. Myers, Wolfe, Richardson, Dabney, Barret, and William H. Smith.

Lieutenants—Means, Ege, Dunsmure, Hyland, Nat. Sheppard, & West.

Ensigns—Judah and Thompson.

Capt. Richardson was appointed Judge Advocate, who proceeded to administer the oaths to each of the members agreeable to law.

The Judge Advocate, after being sworn exhibited and read the charges against Lieutenant Wray Thomas, which are as follow:

"*To Lieutenant Wray Thomas, of the 2d Battalion and 19th Regiment of Militia, in the city of Richmond.*,

"SIR,

"You will from the receipt of this by "Adjutant Leighton Wood, consider "yourself under arrest upon the following charges, exhibited by me, against "you, and which are to be submitted to "the consideration of a Court Martial.

"*First*—For unjustifiable inattention "and neglect of duty as a Lieutenant in "my company.

"*Secondly*—For a contemptuous, positive, and an insulting disobedience to "orders regularly given agreeable to law, "and persisting therein, altho' enjoined "to desist therefrom under pain of an arrest, and the consequent proceedings "thereon.

"I am, Sir,

"Your most obedient,

"SAMUEL M'CRAW,

"Capt. 19th Reg. 2d Bat.

The Board, after having heard the testimony of all the witnesses, and the said Thomas in his defence by counsel, desired them to retire, and the President then proceeded to take the opinion of the members, and it was *unanimously* agreed, that the said Thomas was guilty of the charges aforesaid: Whereupon it was also *unanimously* resolved, that he, the said Lieutenant Wray Thomas, be CASHIERED.

At a Court-Martial held at the same time and place for the trial of Captain SAMUEL M'CRAW—

PRESENT:

The same members as before.

The Board having been duly organized agreeable to law,

The Judge Advocate exhibited and read the charges against Capt. Samuel M'Craw, which are as follow:

"*Charges against Capt. Samuel M'Craw.*

"*First*—For failing to give necessary "orders for notices to the last General "Muster.

"*Secondly*—For not doing his routine "of duty agreeable to law."

"SIR,

"The above charges are exhibited "against you by Lieutenant Wray Thomas, of your company. You will attend the Court Martial to-morrow at "10 o'Clock, at Charles Coxe's, to answer the charges thus exhibited. Given under my hand, this 8th January, "1802—And you are upon the receipt of "this from the Adjutant, to consider "yourself under an arrest.

"WM. GILES, Major

"2d Bat. 19th Reg."

Whereupon sundry Witnesses were sworn and examined, as well on behalf of the Commonwealth, as the Def't. The Court, after mature deliberation, were *unanimously* of opinion, that the charges aforesaid are false, scandalous and malicious; whereupon, on motion made,

Resolved, That the said Captain Samuel M'Craw be, and he is hereby, HONORABLY ACQUITTED.

Extracts from the Originals,

THO. NICOLSON, Clk. C. M.

The foregoing proceedings being compared by me with the Originals, are hereby certified to be correct.

WILLIAM PRICE, President.

Spring Grove, Hanover county, January 18th, 1802.

SIR,

The presiding Officer attending the Courts Martial upon the trials of Captain Samuel M'Craw and Lieutenant Wray Thomas, has honored me with the proceedings of the same, in order to obtain my sanction or disapprobation. Upon due examination of the testimony adduced against Lieutenant Thomas on his trial, I am compelled to give my approbation in favor of the result of the Court. It therefore rests with you to adopt the most proper mode of promulgating and making public the sentences of each; by doing this, Sir, it will be the ready method of arresting from the public mind, my unfavorable impressions relative to the conduct of Captain Samuel M'Craw, who is honorably acquitted from the charges exhibited against him by the Court of examination.

You will receive enclosed an attested copy of the proceedings of each of the Courts Martial.

I have the honor of being,

Sir,

Your most obedient servant,

THOMAS WHITE,

Commandant 2d Brigade.

To Richard Adams, Esq. Lieut. Colonel Commandant 19th Regiment Militia.

Twenty Dollars Reward

WILL be paid for delivering, or securing in any jail so that I get him my Negro Man Slave named

ANTHONY.

He is about thirty years of age, five feet 7 or 8 inches, and had on when he went away a blue cloth coat, a swan's down waistcoat, and a pair of purple Russia drill overalls. He has an old scar across his nose, and has lost the end of one of his little fingers by a whitlow, which occasions the nail to grow crooked over it. I suspect that he will go towards Richmond or Fredericksburg, and will probably endeavor to make his escape by water. All persons are cautioned against employing, harbouring or carrying him out of the state, as the law will be rigidly enforced against any person who may do either.

HARDIN BURNLEY.

Hanover, January 27, 1802. 1m.

SPORTS OF THE TURF!

THE NEW-MARKET

SPRING RACES

Will commence on Tuesday the 27th of April, and continue four days.

FIRST day, a Sweepstakes, by three year old colts and fillies, carrying each 86lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This subscription will be kept open until the first day of April, and no longer. Entries to be made by letter or personal application to the subscriber. Should more than six start, the entrance money of the second best will be returned.

Second day, a purse of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore established.

Third day, a purse of 200 dollars will be run for, two mile heats, entrance 15 dollars.

And the fourth day, a Sweepstakes, by three and four years old colts and fillies, the former carrying 86lb. and the latter 100lb. two mile heats, entrance 100 dollars. This subscription will be closed the evening of the third day's race; and if five or more nags start, the entrance money of the second best will be returned.

Good stables and litter furnished to race horses GRATIS.

STIRLING GARY,

Keeper of the Course.

January 26, 1802.

THE Subscriber having taken the above Course for two years, has furnished himself with good beds, as well as stables, together with ostlers and servants of a proper description; also, liquors of a superior quality. He flatters himself from his experience, and a desire to please, in the above business, to give general and complete satisfaction.

Dinners, either private or public, to be had on the shortest notice. *S. G.*

Pursuant to the last will and testament of Mr. Thomas Fox, dec'd will be sold at King William Courthouse, on Monday the 22d day of March next, if fair, if not, the next fair day, two valuable

Tracts of Land,

IN said county, lying on Matapony River, 2 miles from Frazer's Ferry, 10 from said court house, and thirty from Richmond, adjoining the lands of Messrs. Francis Dandrige and John Perrin, dec'd. One tract containing 277 acres, a sufficiency of which is well stocked with timber, and the balance is opened for cultivation. The other tract adjoining contains 73 acres, all of which is well timbered; both of these tracts lay level and the soil is of the first quality, there is annexed to them a very extensive and valuable marsh, supposed to contain 3 or 400 acres, from which may be supported a large stock of hogs and cattle at little or no expence. It is a beautiful seat and commands an extensive prospect of the river above and below, and affords plenty of fish and wild fowl—these advantages, together with the facility of conveying produce to market render these lands very valuable. A credit till the first day Jan. next, for one half of the money, and till the first day of January 1804, for the other half, will be allowed on giving bond with approved security to

W. B. WALLACE, *Executor.*

January 12, 1802. 12f4tI

Forty Negroes

Will certainly be Sold, for Cash, at public auction, in the town of Lynchburg, the 10th day of February next.

THE whole of these negroes were raised in Amherst county; they are very likely, consisting of Men, Women, Boys and Girls, among them is one valuable waterman.

JOHN WARWICK.

Lynchburg, Jan. 16, 1802. (3w)

Revised Code.

GENTLEMEN who wish to subscribe for the new edition of the REVISED CODE of the LAWS of VIRGINIA, are requested to observe, that the subscription will be positively closed upon the first of March next. The price to subscribers is only SIX DOLLARS. To all non-subscribers the price will be raised to EIGHT DOLLARS; and every gentleman who has not actually paid TWO DOLLARS in advance, must consider himself as coming under the class of non-subscribers.

Gentlemen who still hold Subscription Papers for the above work, are requested to send them in by the 11th of March next, with the advance money collected by them.

☞ Subscriptions will be received as usual till the above period, at *S. Pleasants'* Book-Store, and *H. Pace's* Printing-Office, Richmond.

Richmond, January 29, 1802. 603t.

Ten Dollars Reward.

STRAYED or STOLEN,

From Westover, in Charles City County, a brownish

Bay Horse,

RATHER low; crop ear'd with a switch tail; He turns his fore-feet rather in and carries his head high when he trots, sinks about the neck; and has no white that I recollect about him. Whoever will deliver him at Westover, or to Mr. Wm. Crozier, in Richmond, shall receive the above reward.

Wm. Nelson, jun.

January 26, 1802. 603t.

NOTICE.

In the case of Edward Downing and Thomas Downing, Bankrupts.

PURSUANT to notice for that purpose given, the Assignees of the estate and effects of Edward and Thomas Downing, attended a meeting of the Commissioners of Bankrupt, on Saturday the 23d ultimo. From the report and exhibits of said Assignees, it appeared that a sufficient sum in money was not in hand to enable a dividend to be made. The commissioners therefore instructed the Assignees, that a dividend be called, so soon as they shall have received monies sufficient to authorise the same; a notification whereof will duly appear under the direction of the said commissioners.

Conrade Webb,

Solicitor to the Commission.

Commissioner's Office, Petersburg, Jan. 25, 1802.

IN consequence of the pressing solicitude of the creditors of the aforesaid Edward and Thomas Downing, we wish to remind all those Debtors whom we have hitherto indulged, as also those whose bonds are now falling due, that suits will be indiscriminately ordered to March term, unless payment shall be previously made.

Robert Moore,
John Bell, } Assignees.

Petersburg, Jan. 25, 1802. 1aw 4w

Mrs. Booth, & Co.

RESPECTFULLY acquaint their friends and the public that they continue the Millenery and Mantua Making Business as formerly carried on by Mrs. Boyce, and solicit a continuance of their favors.

Mrs. Booth resides in the house lately occupied by Mrs. Boyce, near the Market, and begs leave to add, that every article will be finished in the neatest and most fashionable manner. New HEAD-DRESSES always on hand. Bonnets from two dollars upwards.

Richmond, Jan. 23d, 1802. (4t‡)

---

10 Dollars Reward.

RUNAWAY from the subscriber in Amherst county, on the 16th inst. a negro woman called KITTY, about 24 or 25 years of age, common size; she took with her several different kinds of cloathing, therefore it is deemed unnecessary to describe her dress; she is of a yellowish complexion and has worn earrings, the holes of which may now be discovered upon close examination. Probably she may be in or about Richmond, were I presume she has many acquaintances as she formerly belonged to Mr. James Wardrope, who lives about 7 miles below Richmond. The above reward will be given to any person who will apprehend and secure her so that I get her again.

JOHN HUTCHESON.

January 24th, 1802. (3w)

JOHN PUMFREY,

BOOK-BINDER AND STATIONER,
RICHMOND,

BEGS leave to make this public acknowledgment of the obligations he is under to his friends and the public, for the encouragement he has hitherto received in the line of his business; and having taken every measure in his power to *deserve* it, hopes to have *continued* to him an equal portion of their favors in future.

He has lately received from London, Philadelphia, and New-York, in addition to his former stock in trade, a large and general assortment of

STATIONARY,

—CONSISTING OF—

Writing paper of all kinds;
Drawing paper,
Marble do.
Blue do.
Blotting do.
Cartridge do.
Coloured do.
Marble do.
Wrapping do.
Writing parchment
Bonnet paste boards
Bandbox do.
Ink powder, black and red;
Ink cakes do.
Japan Ink,
Marking do.
India do.
Dutch Quills, various quantities;
Red and black sealing wax,
Do. Wafers,
Message cards, blank and with borders;
Playing cards,
Shining Sand and Pounce,
Sand and pounce boxes,
Ivory folders,
Red tape,
India rubber,
Red and black lead pencils,
Copper plate copies
Camel hair pencils,
Gold and silver leaf,
Slates and pencils,
Ink stands, of various sorts.

He has also for sale, a constant supply of *ACCOUNT BOOKS*, ruled and blank, bound in leather, and half bound, consisting of

Day Books,
Journals,
Ledgers,
Tobacco Books,
Receipt Books,
Ingrosso Books,
Pocket Ledgers,
Receipt Books,
Memorandum do. ruled and blank;
Music Books,
Copy and Cyphering Books, &c.

Account Books ruled to any pattern—Orders faithfully executed, and Book Binding of every description performed with fidelity and dispatch.

Richmond, January 6, 1802. [1aw4aw.]

N. B. It is earnestly requested that, should there be any claims against the late concern of *Currie & Pumfrey*, they may be brought in for adjustment; and those indebted thereto, are solicited to come forward and close their accounts.

John Pumfrey,
Surviving Partner.

PROPOSALS

FOR PUBLISHING,
BY JAMES WALKER,
OF FREDERICKSBURG,
THE SPEECHES OF
M. De Mirabeau,
THE ELDER:
Pronounced in the National Assembly of France.

TO WHICH IS PREFIXED,
A Sketch of his Life & Character.

IT is unnecessary to make any remarks on the merit of this work, as every man, who has read at all, must be somewhat acquainted with the character of Count *De Mirabeau*.

"I have been, I am, I will be to my "grave, the MAN of Public Liberty, the "MAN of the Constitution. Woe be to "the privileged orders, if privileges constitute the Man of the People, and not "rather the Man of the Nobles; for privileges will have an end, but the People "is eternal."

The character of Mirabeau as an orator is well drawn by the translator of his speeches, (*James White*)—"As a politician, he occasionally experienced interruption; as an orator, he never knew what it was to be despised. The closeness of his reasoning was relieved and illustrated by the fire and majesty of his declamation. None coughed, none muttered curses, none stole away to dinner, when Mirabeau rose to speak; his admiring auditors paid him the homage of deep silence; and when he ceased, their natural deficiency of phlegm, betrayed them into the most animated proofs of approbation. No gaudy ideas, no glittering verbosity, assailed the ear and imagination, at the expence of the understanding, nor distracted attention from the main subject of debate. It was not a display of fire-works, but the grand and awful discharge of artillery, doing effectual execution upon the auxiliaries of despotism."

CONDITIONS.

The work will be printed in 2 volumes, octavo, on good paper, and with a neat type. It will be neatly bound and lettered, and contain about 750 pages. The price to subscribers will be 3 Dollars; to booksellers, who take a great number, a reasonable deduction will be made.

☞ *Subscriptions will be received at this Office.*

January 10, 1802.

FOR SALE,
102313 *Acres of Land,*

ON the waters of Great Sandy River, each side of Louisa Fork, Russel County, surveyed in February, 1795, and originally granted by patent to Richard Smith and Henry Banks.

This valuable tract will be put up for sale, at public auction, in Baltimore, on the 15th day of March next, and for the convenience of purchasers will be parceled out in lots of 10,000 acres each. The terms of payment will be one fourth cash, the remainder in 3 equal payments, every 6 months. The titles, in every respect, are indisputable. For other information and particulars enquire of *Lewis Poseault* or *Henry Messounier*, in Baltimore, or of *Joseph Gallego*, in Richmond.

December 25th, 1801. (ep1tfM

William Temple,

Has Imported by the latest arrivals from London & Liverpool,

A GENERAL ASSORTMENT OF
MERCHANDIZE,

Which he will dispose of low, by the PIECE or PACKAGE.

He has also just received the following Articles, for sale.

5 PIPES,
10 Hogsheads,
8 Qr. Casks,
} Genuine Old Port WINE.
3 Pipes Madeira Wine;
1 Hhd. Old Antigua Rum, 4th Proof;
10 Tierces London Porter;
20 Hhds. Sugar;
50 Bags Coffee;
700 Sacks Liverpool Salt.

Richmond, Nov. 30, 1801.

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glasgow,

A GENERAL ASSORTMENT OF
DRY GOOD,

SUITED to the present and approaching Season, which they offer FOR SALE on moderate terms.

BUCHANAN & POLLOK
Of Petersburg, and
ROBERT POLLOK & Co.
Of Manchester,

Are also now opening their Supplies of FALL AND WINTER GOODS

Richmond, October 8, 1801.

Fresh Garden Seeds,

Of the last year's growth, for SALE at
William Crosier's Store,

Which he will warrant to be of the best Qualities:

EARLY six week Peas.
Early golden Hotspur do.
Dwarf Marrowfatt do.
Large glory of England do.
Cauliflower Seed.
Cauliflower Brocoli
Early York Cabbages.
Early sugar Loaf do
Early Batrerica do.
Large white winter do.
Green curled Savoy do.
Dwarf Madeira do.
Red Cabbage do.
Hardy greens of the Russia Cabbage.
Early cabbage Lettuce.
Green Cos or Ice Lettuce.
Grand admiral do.
Curled Imperial do.
Brown Dutch do.
Curled Imperial Indive do.
Early short topt Raddish.
Salmon Raddish.
Black winter turnip Raddish.
Carrot,
Red Beet,
Large Parsnips,
Onions,
London Leak,
Salcifix,
Sconzonnera,
Early Dutch Turnips,
Asparagus,
Solid Celery,
Double curled parsley.
Garden Cresses,
Broad leaf Sorrel,
Cantaloupe Melons,
White Mustard,
Pepper Grass,
Lucern & rye grass Seed.

Richmond, January 5, 1802. 4w.

Dissolution of Partnership.

THE public are hereby notified, that the Partnership in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firm of

BUCHANAN, DUNLOP, & Co.
In Petersburg,
DUNLOP, POLLOK, & Co.
In Manchester, and
ROBERT POLLOK, & Co.
In Richmond,

Was dissolved, on the 31st day of August last.

Mr. James Dunlop will pay and receive all debts due by and to the concern, at Petersburg, as will Mr. Robert Pollok, those at Richmond and Manchester.

David Buchanan,
per his Attorney in fact,
Robert Pollok.
James Dunlop.
Robert Pollok.

Petersburg, 8th Oct. 1801.

AT A CONVOCATION
Of the Visitors and Governors of William and Mary College, held at the Council Chamber, within the said College, the 25th day of November, 1801.

THE Convocation, taking under consideration the state of the GRAMMAR SCHOOL in the said College, came to the following Resolutions thereupon:

Resolved, That the hours of attendance in the Grammar School, from the first of May to the first of October, be, in the morning, from 6 o'Clock to 8, and from 9 to 12; and from 2 to 5 in the evening: And that the hours of attendance from the first of October to the first of May, be, in the morning, from 7 to 8, and from 9 to 12; and from 2 to half past 4 in the evening.

Resolved, That a committee, consisting of three members of the Convocation, be appointed, whose duty it shall be, as often as they may deem necessary, but at least once in every month, to visit the Grammar School during the hours of tuition in the said School, and report to the Convocation the state of the School, and suggest any alterations which the said committee or the Professor of Humanity, may think necessary for the more beneficially conducting of the same.

Resolved, That a public examination of the youth in the said School shall be made once in every three months, in the presence of the Professors of the said College, such members of the Convocation, and of such other persons as may incline to attend the same.

Resolved, That there shall be read in the School of Humanity, such English books, as to the President and Professors, or Masters, shall seem proper; that Writing and Arithmetic, Geography and History, be taught therein, and that the afternoon of each day be appropriated to instruction in one or other of those branches.

[3w.]

THE SUBSCRIBER

Informs the Public, that the noted Horse

OLD DARE DEVIL

Will stand the ensuing season at his house in Chesterfield county.

Thomas Goode.

January 12, 1802. [1aw1f.]

The Subscriber

WILL receive PROPOSALS until the 30th inst. for supplying at the Manufactory of Arms, near the city of Richmond,

One Hundred Rations, daily,

or as they may be required, for one year. The delivery of said Rations, in such quantity as may be required, to commence on or about the 25th March next. A list of all the articles composing a Ration, will be furnished, on application to the subscriber.

John Clarke.

January 14, 1802.

FALL GOODS.

The SUBSCRIBER

Is Receiving by the *Juno* from *Liverpool*, and other ships from *London & Bristol*,

A GENERAL ASSORTMENT OF
MERCHANDIZE,

WHICH will be SOLD at the customary advance, by the Piece or Package, for Cash, Merchantable Produce, or at the usual credit to punctual customers.

He is likewise supplied with a variety of *East and West-India Goods.*

Also, with SALT, STEEL, &c. on the most reasonable terms.

Robert Gamble.

Richmond, Oct. 10, 1801.

CARPETS & CARPETING.

THE SUBSCRIBER

Has just received and now opening at his store, a very general and elegant assorment of

Carpets & Carpeting,

WHICH will be SOLD Cheap, for Cash or Country Produce, by

Robert Gamble.

Richmond, 7th Dec. 1801.

A FEW BARRELS
Superfine Flour,

MADE of threshed White wheat, recommended for private use, FOR SALE, by

Samuel Parsons.

1st Month 7th, 1802.

CASH
GIVEN FOR
TOBACCO,

AT the second house below the Eagle Tavern, by

John Richard, & Co.

Richmond, Nov. 19, 1801.

MILLER W. McCRAW
AND
ROBERT GWATHMEY,

Having connected themselves in trade, under the firm of

McCraw & Gwathmey

TAKE this method to inform their Friends and the Public, that they have commenced business in the COMMISSION LINE, in the house lately occupied by Mr. *Thomas Hooper*, opposite Messrs. *Hooper & Toler's*, where they are ready to receive Consignments from those who may be pleased to confide in their care any species of property; their strict attention to which, they hope, will gain them public patronage.

They will always give the highest Cash price for Country Produce.

Richmond, January 1, 1802. 1aw4sw.

Robert Gordon, & Co.

HAVE FOR SALE,
A GENERAL ASSORTMENT OF
GOODS,

Received by the America, from Liverpool, and Courtney, from London:

AMONGST WHICH ARE,

A variety of coarse Woollens,
Superior quality Spanish Wool,
Superfine Cloths and Cassimeres,
Swansdowns,
Manchester Stuffs,
Bombazetes, Corduretts, Durants,
Fine & coarse Hats,
Muslins, Dimities,
Fine Irish Linens,
Cambricks,
Silk, Cotton & Worsted Hosiery,
Calicoes, Chintzes,
Camel's Hair, and Cotton Cambrick Shawls,
Veils,
Silk Handkerchiefs, for Turbans,
Lady's Half boots & Shoes,
Fowling Pieces and Pistols,
Jewellery, Plated Ware, Ironmongery, and Hardware.

They have within these four weeks, received by the Helvetic, from Madeira, for Sale, in Pipes, half and quarter Pipes, a supply of the very best quality WINE, which they can particularly recommend.

They have, also, a large Stock of India Cottons, Bandannas & Luttrings; Brown & Loaf Sugars; Port and Sherry Wines; Old Rum, and French Brandy; Imperial, and Young Hyson Teas; Nail Rods; Bar Iron; Steel; Paints, & Oil, &c. &c.

Richmond, October 26, 1801.

FAIRFAX COUNTY, *sc.*

WAS committed to the Jail of this county, on the 15th day of October last, a negro man, as a runaway, who calls himself

DICK;

Says he belongs to GROVES HARRIS, of Prince Edward county, Virginia. He is about 30 years of age, 5 feet 6 or 8 inches high, had on when committed to jail, a white Negre cotton great coat, an old felt hat, his other clothes so much worn as not to be describable. The owner is requested to come forward, prove property and pay charges, otherwise he will be proceeded with as the law directs.

WILLIAM MILLAN, D. S. & Jailor,
Fairfax Jail, Nov. 13, 1801. 3m

E. W. ROOTES,

HAS FOR SALE,

Antigua Rum, by the Hhd.
Holland Gin, by the Pipe,
Cotton Cards, by the Box, assorted;
Philadelphia Porter, by the Barrel, of 3 doz. bottles.
Candles, by the box;
2d 3d 4d 5d and 6d Nails, by the barrel;
20 Tons Swedish Iron, assorted.
Excellent Madder, by the Cask;

AND A GENERAL ASSORTMENT OF

SHOES.

Richmond, September 28, 1801.

Peach & Apple

BRANDY

For Sale by the barrel.

E. W. Rootes.

Richmond, Dec. 21, 1801.

NOTICE.

The Subscribers have formed a Commercial connexion, under the firm of

Long and Crews.

THEY will be principally concerned in the purchase of Country Produce.

Should any business be offered in the Commission Line, it will meet due attention from *Thomas Crews*, residing in Lynchburg, and *Will. Long*, here.

Their Office is on the second story above Messrs. ELLIS & ALLAN's Store.

Will. Long,
Thomas Crews.

Richmond, Jan. 1st, 1802.

SEEDS.

Minton Collins,

Respectfully informs his friends and the public, that he has lately received, from the Northern States, a very general assortment

GRASS SEEDS;

And from London, via New-York, a fresh assortment of

GARDEN SEEDS,

Which may be had at his SEED STORE, for CASH only, viz.

Red & White Clover,
Trefoile or yellow ditto,
Lucern & Timothy seed,
Burnet & Ryegrass ditto,
Bluegrass, Burden grass, & Saintfoine,
Furz or Whin seed,
Spring Tares, or Vetches,
Hemp, Flax, Rape, Mustard, Canary, and Spinage,
Large Norfolk and Summer Turnips,
Early salmon, short-top and white Turnip Radish seed,
Early Frame, Hotspur, Charlton, Marrowfat, Spanish Morotto, & Prolific Peas,
Large Windsor, long pod and Massagan Beans,
Blood red Beet, and Solid Celery.
Early York, Sugar Loaf, and Battersea Cabbage seed,
Green and Yellow Savoy do.
Large Winter, Scotch, Dutch & Madeira Cabbage,
Red Dutch to pickle,
Brussels Sprouts and Borecole,
Early and late Cauliflower,
Green, purple and white Brocolie,
Salsafic & Nasturtium,
White and green Cos Lettuce,
Indive Ice Lettuce,
Roman, Cabbage, Brown Dutch, & Grand Admiral Lettuce,
Corn Sallad,
Early Frame & long green Cucumber,
Madeira, Silver skin, Red and Welsh Onion,
Red & Orange Carriot,
Large Parsnip,
White and Green Asparagus,
Garden Cresses and Pepper Grass,

With an assortment of other Seeds; Glass Flower Bottles, some Painted Flower Pots, and Brackets for Chimney Ornaments, and Red Garden Pots, &c.

A TREATISE on GARDENING, by a Native of this State.

Richmond, Dec. 31, 1801. (tf)

FAIRFAX COUNTY, *sc.*

THIS DAY was committed to the Jail of said county, a negro man named GEORGE; about 35 years of age, middling stout made, his cloathes so much worn as not to be describable; he says he is the property of Joshua Pope, of Prince George county, Maryland.—The owner is desired to come, prove his property, pay charges, and take him away, otherwise he will be dealt with as the law directs.

W. Millan, D. S. & Jailor.

December 10th, 1801. 8t§

WANTED,

A GOOD, STEADY, SOBER
HOUSE SERVANT,

OF honest principles, and fair character. Any person having one of the above description to part with on reasonable terms, may hear of a purchaser by applying to Mr. Davis, at his Office in Richmond.

December 23d, 1801.

The Subscriber, having taken the

Raleigh Tavern,

IN the City of Williamsburg, under his own management; and having laid in a large supply of the best wines and other LIQUORS, is encouraged to suppose, from his former success in this line of business, that he shall be able to give complete satisfaction to travellers and others, who shall resort to his house for entertainment. He also with pleasure informs the public, that owing to the fall which has taken place in the price of most of the productions of the country, he is enabled to reduce the Stage Rates to what they formerly were. Baggage carried as usual, at the risque of the owner.

Philip Moody.

Williamsburg, Dec. 24, 1801.

---

30 *Dollars Reward.*

RUN-AWAY, the first of March last, from Mr. Bates of Amherst county, a negro man named BILLY; he is about 20 years of age, five feet ten inches high, of a tawney complexion, and as well as I recollect, has a scar on the left side of his forehead. BILLY, was purchased of Mr. William Fenwick of Richmond. As his mother lives in Petersburg, it is supposed he is lurking about Richmond or Petersburg. BILLY is now the property of Thomas Bibb of Amherst: The above reward will be paid to any person who apprehends and delivers the said negro to Mr. Cugneau, in Amherst, and all reasonable expences paid.

THOMAS BIBB.

September 17th, 1801. [tf]